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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/045,519	10/26/2001	John P. Frechette	CPL1538-209	9977
8698	7590 12/23/2003		EXAMINER	
STANDLEY LAW GROUP LLP 495 METRO PLACE SOUTH			CAIN, EDWARD J	
SUITE 210	TEMOE BOOTH		ART UNIT	PAPER NUMBER
DUBLIN, OH 43017			1714	

DATE MAILED: 12/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-20 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 9-20 is/are allowed. 6) Claim(s) 9-20 is/are allowed. 7) Claim(s) 9-20 is/are rejected. 7) Claim(s) 9-20 is/are rejected. 7) Claim(s) 9-21 is/are rejected. 7) Claim(s) 9-21 is/are rejected. 7) Claim(s) 9-21 is/are rejected to by the Examiner. 8) Claim(s) 9-21 is/are rejected to by the Examiner. 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. 11) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). 2) All b) Some * c) None of: 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). 3) Copies of the certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). 3) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application since a specific reference was included in the first sentence of the specification or in an Application Data Sheet 37 CFR 1.78. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional applica	<u> </u>		Application No.	Applicant(s)
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Eternations of time may be available under the provisions of 37 GTR 1.136(a). In or event, however, may a reply be timely filled sheet 51% communication. If the period for may specified above is lists than thinty (30) days, a reply valid to the time of the provisions of 37 GTR 1.136(a). In or event, however, may a reply be timely filled sheet 51% (Shouth's from the mailing date of this communication. If the period for may specified above is lists than thinty (30) days, a reply valid to the communication. I this period for may specified above is lists than the mailing date of this communication. I this period for may specified above is lists than the mailing date of this communication. Part only reply received by the Shouth of the communication of the mailing date of this communication, even if simely filed, may reduce any status. The period for all the communication of the mailing date of this communication, even if simely filed, may reduce any status. The status are subjected to condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-20 Is/are pending in the application. 4) Claim(s) 2-20 Is/are allowed. 4) Claim(s) 2-20 Is/are allowed. 4) Claim(s) 2-20 Is/are allowed. 5) Claim(s) 2-20 Is/are allowed. 6) Claim(s) 2-20 Is/are allowed. 6) Claim(s) 3-25 Is/are rejected. 7) Claim(s) 2-25 Is/are objected to by the Examiner. 10) The drawing(s) filed on			10/045,519	FRECHETTE, JOHN P.
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A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be swindled worder the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. Fallure for each or mayly specified shore is last either filed on the careful within the statutory minimum of thely (20) days, event be considered filency. Fallure for reply welfile the set or extended period for reply will, by statute, cause the application to become ABANDONED (55 U.S.C. § 133). Any reply received by the Office state than three moments after the mailing date of this communication, even if timely filed, may reduce any **Status** This action is FINAL. 2D) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-20 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) 9-20 is/are allowed. 6) Claim(s) 9-20 is/are allowed. 6) Claim(s) 9-25 is/are rejected. 7) Claim(s) 9-25 is/are rejected to by the Examiner. Applicant may not request that any objected to by the Examiner. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on				
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2a) ☐ This action is FINAL. 2b) ☐ This action is non-final. 3 ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) ☐ Claim(s) 1-20 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) ☐ Claim(s) 9-20 is/are allowed. 6) ☐ Claim(s) 9-20 is/are allowed. 7) ☐ Claim(s) 9-20 is/are allowed. 7) ☐ Claim(s) 9-2 is/are rejected. 7) ☐ Claim(s) 9-2 is/are objected to. 8) ☐ Claim(s) 9-2 is/are objected to. 8) ☐ Claim(s) 9-2 is/are objected to. 9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 13) ☐ Acknowledgment is made of a claim for domestic priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). 3 ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). 3 ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application since a specific reference was included in the first sentence of the specification or in an Application Data Sheet 37 CFR 1.78. 14) ☐ Acknowledgment is made of a claim f		to communication(s) filed on		
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11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. §§ 119 and 120 12	Applicant ma	y not request that any objection to the	drawing(s) be held in abeyance. See	e 37 CFR 1.85(a).
Priority under 35 U.S.C. §§ 119 and 120	11) The oath or	drawing sneet(s) including the correct	on is required if the drawing(s) is ob	jected to. See 37 CFR 1.121(d).
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No			arrimer. Note the attached Office	Action or form PTO-152.
a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No				
1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application since a specific reference was included in the first sentence of the specification or in an Application Data Sheet 37 CFR 1.78. a) ☐ The translation of the foreign language provisional application has been received. 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78. tachment(s) ☑ Notice of References Cited (PTO-992) ☐ Notice of References Cited (PTO-992) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-152) ☐ Notice of Traftsperson's Patent Drawing Review (PTO-948) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) ☐ Other:	a) All b)	Some * c) None of:	priority under 35 U.S.C. § 119(a	.)-(d) or (f).
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application since a specific reference was included in the first sentence of the specification or in an Application Data Sheet 37 CFR 1.78. a) The translation of the foreign language provisional application has been received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78. tachment(s) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449) Paper No(s) Stackment Tadeonaix Office	1.☐ Certifi	ed copies of the priority documents	have been received.	
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Application/Control Number: 10/045,519

Art Unit: 1714

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Kolla et

Kolla et al disclose polymeric compositions comprising flax shives. Polymers taught as suitable include polyethylene, polypropylene and polyvinyl chloride (claim 4) with the further incorporation of processing aids taught at claim 16. To the extent that the processing aid of the reference is viewed as functioning as a stabilizer and a lubricant, claims 3 and 4 are included in this rejection.

Claims 6-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 9-20 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward J. Cain whose telephone number is (571) 272-1118. The examiner can normally be reached on M-F from 10:00 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan, can be reached on (571) 272-1119. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Application/Control Number: 10/045,519

Art Unit: 1714

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

Edward J. Cain Primary Examiner Art Unit 1714

EDWARD J. CAIN PRIMARY EXAMINER GROUP 1500